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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,220	01/09/2004	David S. Singer	POU920030174US1	8036
23334 7590 04/17/2008 FLETT, KAIN, GIBBONS, GUTMAN, BONGINI & BIANCO P.L. ONE BOCA COMMERCE CENTER 551 NORTHWEST 77TH STREET, SUITE 111 BOCA RATON, FL 33487				
EXAMINER PATEL, HARESH N				
ART UNIT 2154		PAPER NUMBER		
NOTIFICATION DATE 04/17/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptoboca@focusnip.com

Office Action Summary

Application No.

10/754,220

Applicant(s)

SINGER, DAVID S.

Examiner

Haresh N. Patel

Art Unit

2154

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12 and 14-19 is/are rejected.
- 7) ☒ Claim(s) 6, 13 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S5108)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 are subject to examination. Claims 6, 13 and 20 are allowable but objected to.

Claim Objections

2. Claims 10-16 are objected to because of the following informalities:

Amended claims 10-16 mention, "tangible computer readable medium", which should -- computer readable storage medium--

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 7-12, 14-19 are rejected under 35 U.S.C. 102(e) as being anticipated by 2004/0148356, Bishop JR et al., AutoUptodate (Hereinafter Bishop-AutoUptodate).

5. Referring to claims 1, 10, 17 Bishop-AutoUptodate discloses a method, a computer system and a tangible computer readable medium encoded with a program for identifying spoofed emails (e.g., col., 4) the program comprising instructions for performing a method comprising (e.g., col., 4), a receiver receiving an email addressed to a recipient in a first network (e.g., col., 6), the email including a plurality of headers (e.g., col., 6), wherein at least one of the plurality of headers includes a sender address (e.g., col., 6); a processor determining whether the sender address indicates a mailbox from within the first network (e.g., col., 7); when the sender address indicates a mailbox from within the first network (e.g., col., 7); modifying at least a portion of the sender address so as to produce a modified sender address that indicates to the recipient that the email is associated with a mailbox that is external to the first network (e.g., col., 7); and a transmitter sending the email with the modified sender address to the recipient the modified sender address being visible to the recipient (e.g., col., 7).

6. Referring to claims 2, 11, 18, Bishop-AutoUptodate discloses the claimed limitations as above. Bishop-AutoUptodate also discloses receiving the email that includes a "sender" header field that includes the sender address (e.g., col., 6).

7. Referring to claims 3, 12, Bishop-AutoUptodate discloses the claimed limitations as above. Bishop-AutoUptodate also discloses wherein the receiving step comprises: receiving the email that includes a "from" header field that includes the recipient's address (e.g., col., 7).

8. Referring to claim 4, Bishop-AutoUptodate discloses the claimed limitations as above. Bishop-AutoUptodate also discloses wherein the receiving step comprises: receiving the email that includes a "reply-to" header that includes the sender address (e.g., col., 7).

9. Referring to claims 5, Bishop-AutoUptodate discloses the claimed limitations as above. Bishop-AutoUptodate also discloses wherein the step of determining comprises: the processor determining whether the sender address matches any one of a plurality of domains and/or sub-domains associated with the first network (e.g., col., 7).

10. Referring to claims 7, 14, 19, Bishop-AutoUptodate discloses the claimed limitations as above. Bishop-AutoUptodate also discloses wherein the step of modifying comprises: the processor modifies the sender address by appending a predetermined sub-domain to the sender address (e.g., col., 7).

11. Referring to claims 8, 15, Bishop-AutoUptodate discloses the claimed limitations as above. Bishop-AutoUptodate also discloses wherein the step of modifying comprises: modifying at least one of a domain or sub-domain of the sender address (e.g., col., 7).

12. Referring to claims 9, 16, Bishop-AutoUptodate discloses the claimed limitations as above. Bishop-AutoUptodate also discloses receiving a second email, the second email being from the recipient and being addressed to the modified sender address (e.g., col., 18); modifying

the modified sender address so as to produce the sender address (e.g., col., 17); and sending the second email with the sender address (e.g., col., 17).

13. Claims 1-5, 7-12, 14-19 are rejected under 35 U.S.C. 102(a) as being anticipated by 2003/0233418, Goldman (Hereinafter Goldman).

14. Referring to claims 1, 10, 17 Goldman discloses a method, a computer system and a computer program product for identifying spoofed emails (e.g., col., 3) comprising a tangible computer readable medium encoded with a program for identifying spoofed emails (e.g., col., 3) the program comprising instructions for performing a method comprising, a receiver receiving an email addressed to a recipient in a first network (e.g., col., 3), the email including a plurality of headers (e.g., col., 4), wherein at least one of the plurality of headers includes a sender address; a processor determining whether the sender address indicates a mailbox from within the first network (e.g., col., 6); when the sender address indicates a mailbox from within the first network (e.g., col., 7);, modifying at least a portion of the sender address so as to produce a modified sender address that indicates to the recipient that the email is associated with a mailbox that is external to the first network (e.g., col., 7); and a transmitter sending the email with the modified sender address to the recipient the modified sender address being visible to the recipient (e.g., col., 7).

15. Referring to claims 2, 11, 18, Goldman discloses the claimed limitations as above.

Goldman also discloses receiving the email that includes a "sender" header field that includes the sender address (e.g., col., 4).

16. Referring to claims 3, 12, Goldman discloses the claimed limitations as above. Goldman also discloses wherein the receiving step comprises: receiving the email that includes a "from" header field that includes the recipient's address (e.g., col., 4).

17. Referring to claim 4, Goldman discloses the claimed limitations as above. Goldman also discloses wherein the receiving step comprises: receiving the email that includes a "reply-to" header that includes the sender address (e.g., col., 4).

18. Referring to claims 5, Goldman discloses the claimed limitations as above. Goldman also discloses wherein the step of determining comprises: the processor determining whether the sender address matches any one of a plurality of domains and/or sub-domains associated with the first network (e.g., col., 6).

19. Referring to claims 7, 14, 19, Goldman discloses the claimed limitations as above. Goldman also discloses wherein the step of modifying comprises: the processor modifies the sender address by appending a predetermined sub-domain to the sender address (e.g., col., 9).

20. Referring to claims 8, 15, Goldman discloses the claimed limitations as above. Goldman also discloses wherein the step of modifying comprises: modifying at least one of a domain or sub-domain of the sender address (e.g., col., 9).

21. Referring to claims 9, 16, Goldman discloses the claimed limitations as above. Goldman also discloses receiving a second email (e.g., col., 6), the second email being from the recipient and being addressed to the modified sender address (e.g., col., 6); modifying the modified sender address so as to produce the sender address (e.g., col., 7); and sending the second email with the sender address (e.g., col., 7).

22. Claims 1-5, 7-12, 14-19 are rejected under 35 U.S.C. 102(e) as being anticipated by 2004/0193691, Chang, Affini Inc. (Hereinafter Chang-Affini).

23. Referring to claims 1, 10, 17 Chang-Affini discloses a method, a computer system and a tangible computer readable medium encoded with a program for identifying spoofed emails (e.g., col., 2) the program comprising instructions for performing a method comprising, a receiver receiving an email addressed to a recipient in a first network (e.g., col., 2), the email including a plurality of headers (e.g., col., 5), wherein at least one of the plurality of headers includes a sender address (e.g., col., 5); a processor determining whether the sender address indicates a mailbox from within the first network (e.g., col., 5); when the sender address indicates a mailbox from within the first network (e.g., col., 6);, modifying at least a portion of the sender address so

as to produce a modified sender address that indicates to the recipient that the email is associated with a mailbox that is external to the first network (e.g., col., 6); and a transmitter sending the email with the modified sender address to the recipient the modified sender address being visible to the recipient (e.g., col., 6).

24. Referring to claims 2, 11, 18, Chang-Affini discloses the claimed limitations as above. Chang-Affini also discloses receiving the email that includes a "sender" header field that includes the sender address (e.g., col., 2).

25. Referring to claims 3, 12, Chang-Affini discloses the claimed limitations as above. Chang-Affini also discloses wherein the receiving step comprises: receiving the email that includes a "from" header field that includes the recipient's address (e.g., col., 2).

26. Referring to claim 4, Chang-Affini discloses the claimed limitations as above. Chang-Affini also discloses wherein the receiving step comprises: receiving the email that includes a "reply-to" header that includes the sender address (e.g., col., 2).

27. Referring to claim 5, Chang-Affini discloses the claimed limitations as above. Chang-Affini also discloses wherein the step of determining comprises: the processor determining whether the sender address matches any one of a plurality of domains and/or sub-domains associated with the first network (e.g., col., 5)

28. Referring to claims 7, 14, 19, Chang-Affini discloses the claimed limitations as above. Chang-Affini also discloses wherein the step of modifying comprises: the processor modifies the sender address by appending a predetermined sub-domain to the sender address (e.g., col., 5).

29. Referring to claims 8, 15, Chang-Affini discloses the claimed limitations as above. Chang-Affini also discloses wherein the step of modifying comprises: modifying at least one of a domain or sub-domain of the sender address (e.g., col., 5).

30. Referring to claims 9, 16, Chang-Affini discloses the claimed limitations as above. Chang-Affini also discloses receiving a second email, the second email being from the recipient and being addressed to the modified sender address (e.g., col., 6); modifying the modified sender address so as to produce the sender address (e.g., col., 7); and sending the second email with the sender address (e.g., col., 7).

Response to Arguments

31. Applicant's arguments filed 1/11/2008 have been fully considered but they are not persuasive. Therefore, rejection of the claims is maintained. Regarding the arguments for the amended claimed limitations, the claims have been amended with additional limitations that alter the scope of the previously claimed subject matter and hence the rejections are modified according.

Allowable Subject Matter

32. Claims 6, 13 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

33. In order to expedite the prosecution of this case, multiple references are used for the rejections to demonstrate that several references disclose the claimed subject matter of the claims.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner has cited particular columns and line numbers and/or paragraphs and/or sections and/or page numbers in the reference(s) as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings

of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety, as potentially teaching, all or part of the claimed invention, as well as the context of the passage, as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Haresh N. Patel/

Primary Examiner, Art Unit 2154

4/10/2008